June 2, 2010

Mr. Bryan Fuell
Field Manager
Elko Field Office BLM
3900 East Idaho St.
Elko, NV 89801

RE: **PROTEST** of Hubbard Vineyard allotment AE and EA process:, Proposed Decision and FONSI

Dear Elko BLM and Manager Fuell,

Here is a Protest from Western Watersheds Project for the Grazing Permit Renewal Decision for Hubbard Vinyard Allotment, permit for Boise Ranches/Steve Boies or any other parties.

WWP has significant continuing concerns with the Hubbard Vinyard Assessment and the greatly inadequate EA derived from it. This Elko process is largely rehashing of the same deficient information and industry-biased analyses from the previous efforts.

The Assessment, Determination, and EA persist in ignoring the ecological realities of 2010, including information long available to BLM regarding the adverse effects of livestock grazing and trampling on arid sagebrush ecosystems, especially at such very high levels. The process lacks critical site-specific data and analysis on site conditions necessary to understand the very significant environmental/habitat effects of continued very high stocking and further industrialization of the landscape with a battery if fences, spring-digging/flow alteration and the massive alteration of wild land waters through continued and expanded development, de-watering, and other facilities.

We had hoped that BLM would take the opportunity of a new process in Hubbard Vinyard to take actions needed to sustain and enhance what is left of the sage-grouse and other wildlife habitats and populations here. Instead, BLM has provided a Blueprint for sage-grouse and sagebrush accelerated losses and likely extirpation of populations. Increasing and extending the already very heavy Footprint of livestock facilities while continuing high stocking in each and every artificial “pasture” ignores the dire status of sage-grouse as shown by the Service’s recent Warranted but Precluded Finding for Greater Sage-Grouse (included on cd and Pasted Text Attached to this Protest as well). It also ignores

the BLM's Conservation Planning and Guidance for greater sage-grouse, Sagebrush Conservation Plans, recent agency Instruction Memoranda, BLM's Sensitive Species Policy, and other regulations and guidance. We Protest this.

We Protest the lack of a full and systematic examination of soil conditions and microbiotic crusts and associated ecological processes ACROSS the HV allotment. This is essential to understand the severity of current degradation, establish a Baseline, and allow for development of a reasonable range of Alternatives to address these serious concerns. It is crucial in HV because the Holistic Grazing/Intensive Grazing scheme that is currently occurring and promoted on the public lands alters, reduces and destroys microbiotic crusts, shown to be an essential front-line defense against cheatgrass and other invasive species. This grazing scheme is imposed even in the highly vulnerable burned areas – in defiance of all current science. See USDI BLM Belnap et al. Technical Bulletin 2001, Wisdom et al. 2002 ICBEMP guidance, Shinneman and Baker 2009.

BLM has allowed an intensive trampling and soil disturbance scheme to be put in place in Hubbard Vinyard, and this largely continues under the Proposed Action. This was imposed as described as in the No Action Alternative over the past decade without conducting any NEPA. In fact, the series of deficient EAs are the only NEPA that has ever been performed on grazing here to our knowledge. Intensive grazing focuses on uniform destruction of crusts through trampling by livestock. BLM must provide a current and systematic accounting and inventory of all crusts, areas with crust potential that are lacking, and develop management to recover these frontline defenses against weed invasion if is conducting a valid Assessment and EA/EIS process. The EA states "'soil crusts are likely to be present". Where are they present? Where are they not present? How much acreage of each pasture has crusts, vs. is devoid of crusts? How does this relate to cheatgrass or other weed cover? This fails NEPA's hard look requirements, FLPMA's balancing requirements, requirements to prevent undue degradation of public lands, and requirements to use best available science. Public lands must be managed based o some semblance of science, not trampling myths, or the Crider "take half leave half and Dietz Stickmen's pamphlet, which seem to be the basis for most of the grazing effects analysis.

A comprehensive integrated soils/watershed health analysis must occur. That includes the presence and condition of microbiotic crusts in uplands, the presence of rilling, gullying and watershed degradation in uplands, the losses of perennial flows and conditions of intermittent, ephemeral and flowing water areas and drainage networks.

Calamitous headcutting, flow losses and desertification processes are occurring in meadows, springbrook and stream networks across the allotment. This gullying, headcutting and severe erosion is destroying habitats for Columbia spotted frog, leatherside chub, redband trout, possibly springsnails, California floater and other important species many of which BLM has never even surveyed for here. It is reducing and killing meadow, spring and streamside brood rearing areas for sage-grouse. It is resulting in permanent losses of this brood rearing habitat as well as migratory bird nesting habitats. Desertification is clearly evident. Simply placing more barbed wire, or digging deeper into declining springs and potentially killing any remaining surface flows will only worsen matters – as use is intensified even more on all unprotected areas, water supplies, and water-supported habitats. These are reduced even more for native animals and recreational uses through further removal and damaging of soil layers that may kill surface flows with even more digging, trenching, piping, etc. that are proposed to occur on top of al the excavation and piping failures of the past.

Please see WWP site visit November 2009 e-mails to Manager Fuell, and Photos, documenting these conditions. Riparian area conditions are linked to the health of the uplands in the watersheds, too. But

instead of taking an integrated and "hard look" at continuing high levels of chronic livestock disturbance on top of lands that have already suffered so much livestock disturbance for so long – the BLM acts to wallpaper over the serious ecological losses that are occurring by claiming "recovery" – based on limited, old, or no data. It is hard to understand how loss of most of the 55 formerly perennial springs and seeps and other water sources on BLM lands could be termed "recovery". When these conditions were pointed out to BLM, agency response was essentially "those headcuts have been there a long time, so forget about them".

BLM does not even seem to care about the tragic loss of springs, seeps, springbrooks and perennial flows under its watch. Cattle turn-out at sky high numbers is what counts In nearly all cases, these losses have been caused by livestock grazing effects and/or BLM's own developments to intensify livestock use by further exploiting natural waters. See EA at 48 "*there are **about 55 sources** on public land" ... most of these are expressed as isolated areas with limited riparian vegetation growth and exhibit little if any surface discharge. A few sources discharge enough water to maintain surface flow ...About 20% of spring/seep sources have been developed."*. What exactly is meant by "sources"? How can flows be restored to the ground – rather than growing algae and West Nile mosquitoes in cattle toughs? How many of the LARGER spring/seep areas have been developed? There are no alternatives that act to restore ½, or 2/3, or some other reasonable number of these damaged areas to flowing springs and springbrooks. Instead more projects, including at least 7 in completely unspecified areas, on top of at east 6 spring disturbance/de-watering projects in unspecified areas. Yet no detailed information on spring characteristics, perennial flows, methods needed to ensure development does not kill springs is provided. It is impossible to understand the ecological impacts without very careful detailed and site-specific analysis. It is also impossible to understand the cumulative impacts, including cumulative impacts of all developments on BLM as well as private lands, until much more detailed information is provided.

In many of these cases, flows are so reduced or minimal, that all of this heavy equipment excavation is like the old expression "trying to suck blood from a turnip".

Please identify all BLM Project records related to developments, and promises that were made at that time. WWP recalls the holistic shoe group tour we attended circa 2002-2003 or so – and there was discussion of new developments – some already being done with minimal NEPA. What projects have been piecemealed in, and where, over time? In how many areas have developments caused losses? In how many areas have livestock use (trampling, compaction headcutting, erosion) caused losses? A combination? How many flowing springs of what size (riparian area supported, flow) are currently undeveloped on BLM lands? Please identify all of these areas. What have been the cumulative effects on watersheds, aquatic species, sage-grouse, cultural sites, recreational uses? How also have private land develops affected watersheds, water sources, species habitats, populations, etc.? BLM can readily look at soil conditions, vegetation presence, drainage networks to determine historically wetted areas that have lost flows.

What springs, stream segments have suffered lost or reduced flows since records (like water inventories or water rights records) were kept? Where are these areas?

A few Key Areas and the very limited riparian sites in no way, shape, or from provide adequate info on soil and watershed processes including flows - or the downcutting and erosion that is leading to losses of perennial flows in many areas. Just because the rancher practices a form of grazing that destroys crusts does not meant hat BLM can ignore their keystone role in preventing weed invasion, stabilizing soils, providing nutrients, aiding water retention, etc. BLMs own 2001 Technical Bulletin on

microbiotic crusts provides all of this info. There are methodologies to measure them, as we as carefully examine soil conditions and assess conditions. Elko has ignored this.

We are dismayed at the lack of info about cheatgrass and other invasive species that are a tremendous concern. Where are they present? In what abundance? How have they increased? Where is necessary detailed mapping? How has holistic/intensive grazing trampling promoting cheatgrass? How has fire exacerbated cheatgrass? Fire and grazing together? What are the cumulative effects of chronic grazing disturbances in burned landscapes?

BLM cannot cite old limited info on fire to claim there is limited cheatgrass. Typically, BLM post fire-monitoring only occurs for 3 years – at the most. BLM uses 2002 info following a fire –it takes several years for cheatgrass to really take hold – especially when grazing is re-introduced and the intensive holistic trampling disturbance that damages/destroys crusts and dislodges soils and transports weed seeds - as has been allowed to take place here. This information is also available in GIS form – as other BLM offices have been using it, including in Nevada. Please also see both the Nevada and Great Basin Ecoregional Assessment info that has some circa 2003-2005 cheatgrass data. Much newer info is available. That must be employed in this effort. Please provide detailed discussion and analysis of how, where, under what cattle stocking rate, under what cattle use period, that all livestock grazing and trailing has occurred following all fires. Since this area is prone to fire – especially with the significant cheatgrass invasion that has followed fires where lands have been allowed to be grazed far soon before native vegetation recovery can occur – BLM must include under an alternative here in an HV EIS process a minimum of 10 or more years rest to allow some recovery of native species following fires. This should be part of the NEPA process and the permit.

BLM must fully consider the tremendous ecological changes that have occurred in the local area, and the region (Espinosa and Phenix 2008, BDOW 2008 and 2009 sage-grouse reports, Connelly and Knick 2009) and sagebrush biome as a whole

Massive losses and fragmentation of sagebrush landscapes have occurred in WY, UT and portions of MT from energy development (Connelly and Knick 2009) - since the old Land Use Plan and any analysis of the compatibility of high levels of grazing disturbance in a fragmented and degraded landscape like northern Nevada's HV were done. New VRM, ACEC, and other analysis and standards/management changes must be put in place as part of the HV process. Please also conduct a roadless area/Wilderness Inventory. How many more roads exist here than at the time of the original BLM inventories? What is the density of roading here, and how is the roading related to livestock facilities, salt/supplement activities, etc.? What are the cumulative impacts of the road network here on sage-grouse other wildlife, watersheds?

In a full and fair EIS process, BLM must evaluate the Hubbard Vinyard lands taking into account the full requirements of the Rangeland Health regulations and all of their components including carefully and systematically examining watershed processes, ecological processes, sensitive species and their current occurrence, habitat conditions, and population status and viability. Lands and species at most risk to further losses must be identified and alternatives developed to reduce or prevent adverse grazing effects and losses.

BLM must examine the many values especially the biological values of these lands and examine the relative scarcity of the values or how its actions may be very significant in the context of resource scarcity. We are very concerned to see that BLM persisted in proposing livestock facilities as part of an assessment/EA, and now even more unknown spring destruction activities appear as part of the

proposed decision. See Assessment Map 2, Proposed Decision Table 3 "Range Improvements", proposing even more greatly destructive projects to dig into and de-water wildland springs, including those that have already been damaged and degraded by past development. Yet there has been no adequate current info on the status of the watershed, aquifer, changes in flow rates and water quantity and quality over time including as the result of any previous development. There is no valid analysis of the environmental context – such as how much the wetted area has been reduced already by the existing development, grazing, roading, fire and other disturbances.

The purpose of a valid assessment is supposed to conduct site-specific systematic on-the-ground surveys and studies to understand the current ecological conditions of the land and their compliance with the Fundamentals of rangeland Health as described in CFR 4180. It is not to prepare a document that cheerleads for rangeland development and near-status quo cattle stocking under business as usual intensive trampling and grazing disturbance. Rehashing old and limited info is not sufficient. There still remains no current analysis for many important areas.

In this current assessment and flawed EA process, BLM has wrongfully reduced ands considered as sage-grouse habitat – cutting out artificial seedings that could be restored for sage-grouse and other lands that do contain significant sage-grouse habitats. It sacrifices these areas to grazing disturbances that conflict not only with sage-grouse needs, but with all aspects of the health of the land, watersheds, waters, and OTHER important and sensitive species habitats and populations.

We are very concerned that spring and stream PFC or upland assessments may be done by the holistic grazing support group, or other entities – is that the case? Who conducted all PFC, upland vegetation carrying capacity or other info, when, where?

Why is there no adequate info provided on how all Pastures have been grazed, and when, and the monitoring that was conducted – for all years of the Shoesole undertaking? How many cows were grazed and trailed where, when, and what were the monitoring results? This is critical to understanding the effectiveness of any claims that the muddled Proposed Grazing system will do anything other than make the ecological situation even worse, ad further reduce and destroy sage-grouse pygmy rabbit sharp-tail grouse, redband trout, and other critical habitats. We are alarmed to see that the FEA and Proposed Decision continue the same incomprehensible and uncertain 13-dimenisonal chess grazing system. See Proposed Decision Mailing Appendix 1. "Example of a Possible Six Year Grazing Cycle".

With the Assessment, BLM put the cart before the horse, and wrote a document to justify what it wants to do under the EA ad Proposed Decision, i.e. further destroy and industrialize the landscape with livestock facilities including the project-damaged and livestock-damaged dying springs, as well as impose a completely incomprehensible grazing scheme that violate Conservation measures for sagebrush ecosystems including through continued spring grazing in sensitive nesting habitats for grouse species and pygmy rabbits with kits in burrows (PD Mailing Appendix 1). The flawed EA is derived from that. Yet if a critical look was taken at conditions and info was integrated across the allotment, BLM might find out that existing spring projects have radically altered spring flows, are promoting extreme concentration of livestock in all unfenced mesic areas areas, and are leading to the incremental loss of all unfenced mesic and riparian areas.

The fact that flows have been lost at so many springs already, and that gaping headucts are destroying the limited flows that remain in Jakes Creek and other drainages and springbrooks, shows it is time for BLM to adopt a different approach to managing these areas.

An honest EIS evaluation and alternatives approach that focuses on protecting ecological processes and restoring these damaged systems and the many values of the public lands including healthy and viable populations of rare biota must be conducted. This is made even more important by the increased stresses that climate change and exotic species invasions are placing on these systems. Instead of doing this, BLM proposes putting a band-aid on an unraveling ecosystem and imposing even more bulldozing and disturbance. See Map proposing spring destruction projects at HV Assessment Map 2 - Projects 4.5.6.8.9.17, EA Map 3, Proposed Decision Tables 1, 2, and 3. WHY is there no mapping with the EA that shows all the 55 spring/seep/springbrook areas, with current conditions, and analysis of alteration of all of these – so that a full understanding of conditions in each pasture and across the allotment really are? For example, how many undeveloped springs with perennial surface flow will remain in the Hubbard Basin or Cold Springs Pastures? What is the perennial length of ach stream segment? Where are all headcuts and nick points in these systems?

We are dismayed that BLM refuses to show the vegetation community complexity, including the occurrence of all currently present low sagebrush, black sagebrush, Basin big sagebrush, Wyoming big sagebrush Mountain big sagebrush, and sagebrush-bitterbrush communities. There is likewise no site specific information on the complexity of the watershed and vegetation conditions associated with any area slated for even more disturbance by new facilities for cattle. There is no analysis of lek declines, degree of habitat loss and fragmentation, and other critical factors for understanding these effects.

BLM has not provided detailed mapping and analysis of the location/siting of all existing and proposed livestock facilities, in relation to the veg communities and values they are affecting.

BLM has not provided detailed ecological, GIS, or other mapping of the occurrence of cheatgrass in understories, or as a dominant species. BLM has not shown areas at highest risk to cheatgrass expansion.

We appreciate that the EA at least mentions SWIP, China Mountain, the existing powerlines, and the mine. We note that the very frequent loud semi-truck traffic both on the Highway 93 as well as from the mine also serves to create constant disturbance to wildlife. But there is no valid assessment of these energy developments direct, indirect and cumulative effects on local and regional wildlife habitats and populations, PMUs, sage-grouse core areas or habitats, and no info on status and trends. Given all the fire and livestock losses (nearly all the springs and many areas of perennial flows) that have occurred in HV, and the presence of looming Energy Development – including three Wind Met towers either in or near the allotment, the NV ON Line transmission project also slated to run north-south, and the Ruby pipeline only a bit to the south, a rational person would have concerns that the public lands and wildlife, as well as recreational uses and cultural sites facing disturbance were facing a crisis. A rational public lands agency living up to FLPMA's mandate would take strong and necessary measures to protect the many threatened values, and buffer the resources/values/species/sites in jeopardy. A full and detailed analysis of the Ruby pipeline must also be provided.

The continued Death by a Thousand Cuts Elko BLM Approach: In this already degraded and fragmented landscape - what does BLM do? BLM claims that a few more fences or other projects in Hubbard Vinyard will make little difference, that extending disturbance to springs will make little difference, that even the vulnerable cultural sites won't be affected much – because after all: They have suffered a hundred plus years of grazing disturbance. See EA at 22. Yet BLM has never adequately analyzed the full effects of all the existing infrastructure that it helped developed to increase livestock use of remaining less exploited areas. There is no analysis of how and where and when fences were built by or in sage-grouse habitats, and the losses of leks or declines in birds that have happened under

this management activity. What facilities were present at the time of the data collection for the old LUP? How much sagebrush and how much mature sagebrush and sage-grouse habitat was present then – vs. now? In the HV allotment and the surrounding lands? BLM appears intent on sacrificing all uses to one livestock permittee's desires.

In this allotment, where conditions based on "potential" vegetation communities should be 90% or more sagebrush and sagebrush-bitterbrush, and sage-grouse habitats – with a complexity of sagebrush species and sub-species present, the EA and Proposed decision reveal that now BLM views only 4 pastures as sage-grouse habitat! See also Proposed Decision at 3, "the principle pastures which include sage grouse breeding habitat are Flat, Middle, Coon Creek, and Hubbard Basin". Yet BLM still grazes cattle during the spring on these limited remaining areas it bothers to consider as sage-grouse habitat – just not every spring!

Outrageously, and in violation of its sagebrush and species conservation policies and requirements as well as all current science, BLM appears to have given up on managing for significant recovery and restoration of the other "pastures" where BLM shuns even minimal protections. There is no effort made to protect areas that still are native vegetation from livestock disturbance and expanded cheatgrass, to restore damaged lands like seedings and improve their sagebrush habitat quality, to remove the large areas of seedings, or otherwise recover natural processes.

BLM continues the "seedings" with levels of extreme livestock abuse, and makes no restoration effort.

Just like the springs, the terrestrial wildlife habitat is dying, and BLM's response under the Proposed Action is to continue to heap high levels of use under a highly uncertain and confusing grazing scheme on these dying habitats without adequate mitigation.

It appears to us the lack of clarity and specificity in the EA with the No Action and the Proposed Action grazing schedules, and the lack of key info on how grazing and trailing actually occur here, may be done to purposefully confuse any understanding of the nuts and bolts of grazing use here.

How in the world can all the promises of rest and juggling use periods possibly be kept? And what is the effect of herding or livestock movement or repeated use that may occur? This grazing scheme involves a tremendous amount of herding. It is impossible to understand. Plus, during our recent visits to the allotment, we saw cattle present in small numbers in several pastures – as if stragglers were just left to wander for periods of time.

An EIS must provide meaningful understanding of the habitat conditions and conflicts that exist, as well as the indirect and cumulative effects of the grazing, facilities, land treatments, developments, powerlines, gas pipelines, or other energy projects, etc. that are existing or foreseeable in this landscape (HV and surrounding areas) and that will affect the sage-grouse population or PMU, watersheds critical to the northern leatherside, California floater or redband trout, etc.

BLM cannot rely on construction or continuation of the existing maze of fences or fences proposed in the outdated Land Use Plan, There is significant new info on the adverse effects of fences on sage-grouse and other wildlife. See Knick and Connelly (2009), Wyoming Game and Fish (2009), What is the fence density in the allotment? In the area? Please include Cottonwood, Salmon River and other allotments – these places are mazes of fences including at times "temporary" electric fence that is causing permanent effects as intensive trampling and other disturbance from large herds of

overstocked cattle dislodge soils, promote soil erosion, destroy microbiotic crusts, and open the door for weed infestation.

Please identify all existing spring developments, troughs, stock ponds –including those built in spring or trib drainage they have been dug into. BLM must consider removal and rotation of a significant number of these projects that are harmful to wildlife, and recreational uses. Please consider a range of alternatives that include removing fences and simplifying the pasture system, removing grazing from some larger-sized areas so that both reference areas and ungrazed enclaves to mitigate for continued intensive disturbance of livestock in other areas can occur. For example, when one compares Map 7, sage-grouse leks (are these only the active leks –and not historic leks? Where are all historic leks including in lands surrounding the allotment), one sees leks clustered in the northern portion of the allotment. Recent fire has also significantly impacted habitat here. Intensive holistic grazing is impairing springs, seeps, meadows and intermittent and ephemeral drainages. BLM proposes even more gutting and "development" that will end up resulting in diminished surface waters and death of unexcluded mesic and riparian areas. So why does the Proposed Decision and EA not just consider closing Devils Table, Hubbard Basin, and Cold Springs Mountain to all grazing use, for recovery of watershed, sage-grouse populations, etc. Closure of these areas and designation of an ACEC are essential to protecting sage-grouse, sharp-tailed grouse and other species from further declines.

That way there would be no reason at all for any new developments to be constructed, long-term recovery of the burned areas will be promoted, and sage-grouse will subject to much less disturbance. How can we assist in developing a proposal to do this?

Please see Coates and Delehanty and other sage-grouse studies that show the importance of undisturbed areas with sufficient tall grass and sagebrush cover for nesting. Cattle disturb and flush birds from nests, and cattle even eat sage-grouse eggs! Plus of course cattle adversely alter the composition, structure and function of the habitats tat the grouse and other wildlife require.

W are greatly concerned that near-unfettered supplement placement/salting is permitted across the uplands. Please provide detailed analysis and documentation of all the sites where salt/mineral supplements/molasses, etc. have been placed by ranching operation during the period of the Shoesole group. This is necessary to understand the sites of weed infestation and spread, and site-specific loss and fragmentation of sagebrush, as well as simplification of necessary shrub cover from livestock breakage all related to essentially feeding livestock under the holistic/intensive grazing scheme. The Shoesole practices specifically target destruction of the old and mature sagebrush communities with minerals – the very communities that sage-grouse, pygmy rabbits and other species require. The Mineral placement and livestock use destroys veg structure that takes 50-100 years or more to develop. BLM must require herding to control livestock, and forbid any placement of these damaging substances. Plus, the placement of supplements is a sign of the degradation of the "range", and that sufficient forage and nutrients are not present to support the livestock if these substances are being used.

2006 PFC. BLM has continued to fail to conduct current and systematic PFC assessments across numerous riparian areas, springs, seeps and meadow sin the allotment. See Map 10. We believe BLM will not do this because it knows how severely degraded – and continuing to decline even further – drainages like Dry Creek and Coon Creek really are. BLM prefers to let very significant water resources for wildlife be turned into arid gullies and dustbowls, instead of looking at their conditions, and talking necessary action to protect them.

This is the narrow view that Elko BLM persists in taking in all its recent proposals. This is like the Marys River Complex, and the Deeth and other areas WWP has expressed concerns about this disjointed and damaging management.

We are also greatly concerned that the PD uses the 2001 baseline year as the basis for specific objectives (see PD at 3).

Many questions that we asked related to the Assessment are not answered in the EA For example: Assessment Map 11 PFC. We see several springs are listed as "PFC". Are there exclosures or impediments to livestock access here? Is BLM measuring PFC inside small fenced areas, and ignoring the dying springbrook channels ad meadow areas outside? Aren't there more springs than this? WHERE are all livestock ponds? How many of these have been dug into springs or areas of drainages with some perennial water. How can these be restored and functioning riparian and meadow areas be provided for wildlife and the public – instead of filthy, stinking, West Nile virus mosquito-breeding habitats? Instead of bare banks and manure piles, how about native forbs in meadows? To understand the effects of livestock grazing and its current management on ecological process, a full and fair inventory, survey, and study of the condition and effects of all livestock facilities must be provided in any valid assessment.

What are the flow rates, how much wetted areas remains, how much has the area of the spring been reduced - pleas examine hydric soil and other information to understand this. Where are any headcuts, and what impacts are headcuts having on these areas? How many areas have had all surface flows killed? How many areas have persistent water only inside bandaid exclosure, and none outside? How many springs (including many that BLM keeps refusing to assess) have had stock ponds gouged into them? Are any assessments ONLY of conditions inside barbed wire – in springs where fencing is present? What percentage of water flow is removed from springs by ALL developments – please provide detailed info , mapping and analysis. What are water temperatures inside and outside exclosures? What is the level of bacterial and sediment contamination and pollution of all spring waters- including inside and outside exclosures during and immediately after periods when livestock are present.

Please provide information on how springs and seeps that are developed can be restored, and methods to accomplish this under analysis of a valid sage-grouse/sagebrush conservation alternative.

How does spring development potentially alter or destroy surface flows?

The 2008 Map 12, HV Use Pattern Map" shows that around half the allotment was not grazed in 2008. Does this mean that cattle stocking was greatly increased (from actual use) in the lands that were grazed? If we understand the EA's No Action Alternative correctly, that indeed would be so. How has the pasture-by-pasture stocking changed over time? What are the disturbance effects of concentrating livestock use. This concentrates extreme cattle disturbance in portions of the allotment during critical periods for pygmy rabbit, sage-grouse, migratory birds, and other animals.

To what degree is year-round mining activity driving sage-grouse, mule deer, antelope or other wildlife out of traditional and critical habitats, and affecting populations? How can this be mitigated? When were all powerlines built, and how has this changed active leks, grouse numbers, etc.?

How has the mining affected the hydrology, watersheds, soils weeds, etc. in areas where it is occurring? Is grazing occurring right on top of mining activity? What are the cumulative impacts?

What are the adverse and cumulative impacts associated with the existing transmission lines here? Will potential future gas or other new developments follow this corridor, too? The EA does not discuss the impending large-scale Ruby natural gas pipeline disturbance that occurs in part of the sage-grouse population cumulative effects area that must be considered! What will the effects be? In looking at the map of sage-grouse leks we see a dearth of leks in the southern area of the allotment. Were there more historic leks? Were changes have occurred here? How has the raptor perching provided by the powerline impacted pygmy rabbits? Where are pygmy rabbits currently found, and have current surveys been conducted? What lands can be restored for pygmy rabbits under a restoration alternntive? How is livestock grazing altering the structure of big sagebrush require by the pygmy rabbit? Why is there no examination of habitat condition related to the actual needs of wildlife? How has the holistic use altered, simplified, fragmented pygmy rabbit, sage-grouse, sage sparrow, Brewer's sparrow and other migratory bird habitats here – through placement of salt, molasses, etc.? Is this still being allowed?

There are 4 seeding pastures, and 13 other "native" pastures. BLM should consider restoration of native sagebrush vegetation in all seeding pastures. Stocking rates are woefully outdated, based on the supposition that crested wheatgrass is still productive – when in fact, abusive grazing has greatly reduced the grass component. Under no circumstances can BLM attempt to kill sagebrush again to promote grass. BLM has not addressed this in the EA. It is impossible to understand how and where livestock have been being grazed, and how they will be grazed under Alts in the EA.

DEA at 6 describes intermittent flows below the Snake Range. We asked that BLM carefully evaluate the condition of all of these intermittent flow areas, and examine the effects of chronic livestock grazing disturbance on the condition of these areas, and in causing foreseeable further reductions in flow, continued head-cutting, and more death of stream networks. How might climate change amplifying and exacerbate the adverse effects of desertification that has already occurred or is ongoing? This has not been done in the final EA, and an EIS must be prepared.

We are dismayed that there is no analysis of the serious gullying and soil erosion being caused by grazing here.

BLM still seems proud that the allotment has "limited recreational opportunities". What is meant by this? (See AE)? Is this like only 4 pastures having sage-grouse habitats any more? This is an important and scenic area, and the abusive livestock grazing is causing at least some of the "limitation" in recreational opportunities of birdwatching, nature photography, camping, hiking, etc.

BLM must examine in great detail the whole sequence of fires in surrounding lands to place the importance of the remaining unburned areas of HV in context. BLM must manage the habitats of HV to protect them, due to their great importance following the Murphy, Scott, series of fires east of Jackpot, series of fires north of Wells, etc. How much habitat has been lost, and for how long? How much fragmented?

Are there roadless lands contiguous with the Bad Lands WSA that are potentially wilderness quality? What effects is grazing, placement of salt, livestock facilities, trampling and loss of microbiotic crusts promoting weeds, etc. having on the WSA? Why hasn't an expanded Wilderness Inventory been conducted here? We request that this be done.

What fencing hazards currently exist in big game winter range –please identify. How do hazards increase with winter snow? Don't all fences cause problems for big game with winter snows?

What are the stream habitat conditions? Good to excellent condition is very different – and typically of higher quality than PFC. BLM must manage ALL riparian areas for greatly improved conditions, not the areas in the old RMP only.

BLM cannot rely on the outdated "Bull Camp has a low priority argument". ALL streams have values that have greatly increased in scientific awareness since the old LUP. For sage-grouse broods: This is especially the case with any native shrub or shrub recovery potential in uplands, have values for many species of wildlife. BLM must act to greatly improve conditions – or else the whole drainage will become further desertified due to holistic grazing and trampling impacts – and the water flows will disappear or become increasingly ephemeral. What has happened is tha Bull Camp, Dry Creek, lower Jakes Creek and other areas are being treated as sacrifice zones. WHERE was water flow perennial at the time of the Elko RMP, vs. now? How much of the length of each stream here lacks flow in late summer-fall?

The Key Area Objectives are greatly excessive. In order to provide suitable nesting residual cover for sage-grouse and improve conditions, standards of 10% or less of native bunchgrasses must be applied in all areas and no winter, spring or early summer grazing due to conflicts with sage-grouse and other sensitive species. Conflicts include DISTURBANCE from livestock and management activities flushing and disturbing birds, disturbing and destroying eggs, etc. What kind of grazing season can be designed under these circumstances? What kind of stocking rate will be necessary? Please provide detailed analysis, and a history of Pasture by Pasture stocking under the Shoesole group, and prior.

The Northwestern Standards and Guides tie back into the CFR Rangeland Health Regulations, and BLM must include ALL of the components of rangeland health in its studies and analysis to properly arrive at a Rangeland Health Assessment.

We are dismayed that in an allotment where the holistic grazing relies on uniform trampling and disturbance, there is no careful and systematic consideration of the current condition of microbiotic crusts across all the areas actually grazed by cattle.
Lands in the Snake Range are typically steeper – and less used by cattle – use is funneled along

BLM must provide full and detailed assessment and mapping of cheatgrass and other weed presence across the allotment and surrounding lands. This includes in burned and unburned areas. BLM must develop grazing strategies to address the damaging impacts of livestock that promote and expand cheatgrass and other weeds.

Assessment Appendix 1 Questions Remain Unanswered

PEA Appendix 1 "Actual Use and Monitoring by Pasture" shows that BLM has been monitoring utilization at periods that have no relation to when grazing occurred. For example, the grazing period for the Flat Pasture was 4/6 to 7/1 – yet BLM did not measure use until October 22. Doesn't grass regrow to some degree if late summer rains occur? If so, how much is possible? How does this track the amount of use that occurs during the critical and active growing period? Can't grasses grazed in April grow a significant amount more during the growing period – so a use period that continues through spring and early summer allows plants to suffer repeated grazing bouts, and multiple

defoliation/use episodes. BLM cannot base its flawed Carrying Capacity on this even more flawed data.

Just because a pasture was not scheduled to be used, does not mean that BM does not need to conduct the utilization –check for trespass, see how much of an effect (if any) wildlife is having.

There is no evidence that any systematic and accepted scientific method was used to establish the very limited Key Areas or other monitoring sites.

What is meant by Appendix 1 (page 2) Lower Hubbard … Key Area HV-02". BLM's key areas are greatly inadequate in number, purposefully avoid areas of more intense effects, and are often cherrypicked to show minimal impacts. Especially when ranchers get to have veto power over where monitoring sites are located – as is often the case. Who established these sites? How were they established? What role did ranchers have in their selection?

Who conducted all monitoring here? Did the permittee or others do this? Please provide info.

BLM's Calculation of Capacity is meaningless, and is divorced from anything meaningful to understanding rangeland health, or the ecological conditions of the public ands. For example, look at the Pre-CAF capacity and post-CAF capacity in the various Key Area charts. In the HV-03 Matrix, this varies as wildly: From 875 to 3919 AUMs. HV05 Seeding Matrix – a chart resplendent with lack of data: 1425 to 8550 AUMs. BLM then proceeds to average meaningless numbers, and come up with an average figure that is even more meaningless. Just like the 50% utilization level that is inadequate to provide for sage-grouse, pygmy rabbit and other sensitive species needs – let alone recovery of damaged wild lands and protection of fragile cultural sites – this method has no relevance to current science. The Response to comments in the Assessment harkens back to the 1980s "Range Monitoring Book". This too demonstrates that an EIS is required. Please see the range Science Reviews of Dr. John Carter for neighboring BLM lands. Even range science shows this level of use is terribly damaging.

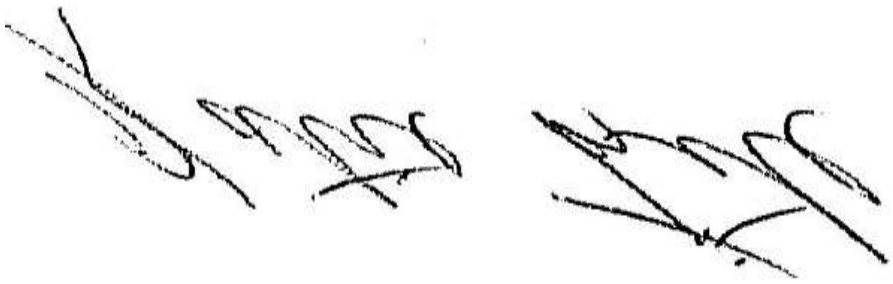
BLM responded to a Grazing Group's comments by pretty much admitting that apparently everything was flexible, and malleable. How can BLM, where "range science" is supposed to be followed, allow de facto avoidance of following some solid management constraints? It appears that putting "All" in the pasture Column is a way to avoid staying within constraints of any kind.

Meanwhile, BLM ignores systematic and careful examination of ecological conditions across the landscape – the location and occurrence of microbiotic crusts, rills, gullies, pedestaling, etc. BLM must examine scores of sites – including in areas more intensively used by livestock - in order to arrive at any meaningful rangeland health evaluation.

We hope to send additional comments/Protest points and ask for a site visit to show you our concerns.

Please consider all of the above Comments and concerns as Protest points for the Boise Hubbard Vinyard Allotment Decision.

Sincerely,



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